



# Development of Draft Law on Competition in Cambodia

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Competition Policy

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# Background

- 2001: Draft competition policy under WTO requirements
  - > The draft was prepared by South Korea Expert.
- 2006-2007: Draft Law on Competition
  - > It was prepared by UNCTAD's Expert.
- 2011- 2012: Revision of the Draft Law on Competition by ADB's Expert
- 2015: Revision of the Draft Law on Competition by Australian Expert from ACCC under CLIP
  - > The Draft is on the process of finalization by Ministry of Commerce.

# Main Content of the Draft Law

- Prohibition on unlawful:
  - > horizontal agreements,
  - > vertical agreements,
  - > abuse of dominant position, and
  - > merger and acquisition.
- Exemptions
- Leniency program
- Competition Commission
- Appeal
- Penalties: non-criminal penalties

# Department of Competition

- ◉ Sub-Decree 127 of Camcontrol on June 20 2016, Ministry of Commerce.
- ◉ Brakas 232 of the Organization of Competition Department on July 14 2016
- ◉ Duties:
  - > Plan policy and strategy to ensure the competition implementation
  - > Study and cooperate with related regulators and agencies in Cambodia, Region and International
  - > Conduct Investigation
  - > Analyze the case

# Challenges and Solutions

- Human Resource Development:
  - > To understand the content of Competition issues,
  - > To understand the investigation process,
  - > To prepare for the establishment of Competition Commission, and
  - > To provide public awareness.
- Solutions
  - > Needs to learn from experienced competition commissions,
  - > Needs support from regional and international assistances

Thanks for kind attention!